

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

WILLIAM PHILPOT,)	
)	
Plaintiff,)	
)	
vs.)	CV 03-B-1561-S
)	
TRAVELERS PROPERTY CASUALTY)	
COMPANY OF AMERICA; U.S. FIRE)	
INSURANCE COMPANY; NATIONAL)	
UNION FIRE INSURANCE)	
COMPANY,)	
)	
Defendants.)	

MEMORANDUM OPINION

This case is presently pending before the court on Motions for Summary Judgment filed by defendant United States Fire Insurance Company, (doc. 66); defendant National Union Fire Insurance Company, (doc. 68); and Travelers Indemnity Company, (doc. 70). Upon consideration of the record, the submissions of the parties, the arguments of counsel, and the relevant law, the court is of the opinion that defendants' Motions for Summary Judgment, (docs. 66, 68, and 70), are due to be granted.

In response to defendants' Motions for Summary Judgment, plaintiff stated:

Philpot contends that internal Florida substantive law applies to this UMI claim, including Florida's UM statute, FL. ST. § 627.727. By order of February 6, 2006, this Court ruled that § 627.727 does not apply to this case. Philpot's claims depend upon the applicability of § 627.727. Thus, when the Court ruled that § 627.727 would not apply, Philpot's case was effectively ended.

Philpot concedes that, without § 627.727, he has no valid claim. Philpot does not concede the correctness of this Court's conflict of laws order of February 6, 2006. However, in light of that order, Philpot concedes that the summary judgment motions are due to be granted. Philpot reserves his right to appeal from the resulting final judgment and to argue that the February 6, 2006, order was erroneous.

(Doc. 76 at 1-2.) In light of plaintiff's concession that he has no claim in light of the court's Order of February 6, 2006, (doc. 65), defendants' Motions for Summary Judgment are due to be granted and plaintiff's claims are due to be dismissed.

An Order granting defendants' Motions for Summary Judgment will be entered contemporaneously with this Memorandum Opinion.

DONE, this the 12th day of September, 2006.

A handwritten signature in black ink, reading "Sharon Lovelace Blackburn". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

SHARON LOVELACE BLACKBURN
UNITED STATES DISTRICT JUDGE